

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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E. JEAN CARROLL,	:	Index No. 160694/2019
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Plaintiff,	:	Hon. Verna L. Saunders
	:	
- against-	:	Mot. Seq. No. 2
	:	
DONALD J. TRUMP,	:	AFFIRMATION OF
	:	<u>MARC E. KASOWITZ</u>
	:	
Defendant.	:	
	:	
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Marc E. Kasowitz, an attorney duly admitted to practice before the courts of the State of New York, hereby affirms the following under penalty of perjury:

- I am a member of the firm Kasowitz Benson Torres LLP, attorneys for defendant President Donald J. Trump in the above-referenced action. I respectfully submit this affirmation in support of defendant’s application for a stay of proceedings, pursuant to CPLR § 2201, pending the decision of the Court of Appeals on his appeal from *Zervos v. Trump*, 171 A.D.3d 110 (1st Dep’t 2019), *lv and stay pending appeal granted*, 2020 WL 63397, 2020 N.Y. Slip Op. 60193(U) (1st Dep’t Jan. 7, 2020)).
- Attached as **Exhibit A** are true and correct copies of (1) plaintiff’s affirmation in support of her Request for Judicial Intervention, dated November 8, 2019, NYSCEF No. 3, and (2) the letter from plaintiff’s counsel to Administrative Judge Kaplan and supporting affirmation, both dated December 3, 2019, NYSCEF Nos. 23-24.
- Attached as **Exhibit B** is a true and correct copy of the Preliminary Conference Order entered in this case on December 12, 2019, NYSCEF No. 27.

4. Attached as **Exhibit C** is a true and correct copy of the letter dated January 21, 2020 from the Chief Clerk and Legal Counsel to the Court of Appeals to the parties in *Zervos v. Trump*.

5. Attached as **Exhibit D** is a true and correct copy of the so-Ordered Stipulated Briefing Schedule, dated January 31, 2020, and so-Ordered February 4, 2020, NYSCEF No. 39.

6. On January 6, 2020, plaintiff served a First Set of Document Requests, Notices to Admit and Interrogatories; on January 10, 2020, plaintiff served a Second Set of Document Requests; and, on January 30, 2020, plaintiff served a First Notice to Submit to Physical Examination.

7. No prior application for a stay pending the decision of the Court of Appeals in *Zervos v. Trump* has been made in this action.

Dated: February 4, 2020
New York, New York

/s/ Marc E. Kasowitz
MARC E. KASOWITZ